

## U.S. Fish and Wildlife Serv., Interior

## § 21.3

### Subpart C—Specific Permit Provisions

- 21.21 Import and export permits.
- 21.22 Banding or marking permits.
- 21.23 Scientific collecting permits.
- 21.24 Taxidermist permits.
- 21.25 Waterfowl sale and disposal permits.
- 21.26 Special Canada goose permit.
- 21.27 Special purpose permits.
- 21.28 [Reserved]
- 21.29 Falconry standards and falconry permitting.
- 21.30 Raptor propagation permits.
- 21.31 Rehabilitation permits.

### Subpart D—Control of Depredating and Otherwise Injurious Birds

- 21.41 Depredation permits.
- 21.42 Authority to issue depredating orders to permit the killing of migratory game birds.
- 21.43 Depredation order for blackbirds, cowbirds, grackles, crows, and magpies.
- 21.44 Depredation order for designated species of depredating birds in California.
- 21.45 Depredation order for depredating purple gallinules in Louisiana.
- 21.46 Depredation order for depredating scrub jays and Steller's jays in Washington and Oregon.
- 21.47 Depredation order for double-crested cormorants at aquaculture facilities.
- 21.48 Depredation order for double-crested cormorants to protect public resources.
- 21.49 Control order for resident Canada geese at airports and military airfields.
- 21.50 Depredation order for resident Canada geese nests and eggs.
- 21.51 Depredation order for resident Canada geese at agricultural facilities.
- 21.52 Public health control order for resident Canada geese.
- 21.53 Control order for purple swamphens.
- 21.54 Control order for muscovy ducks in the United States.

### Subpart E—Control of Overabundant Migratory Bird Populations

- 21.60 Conservation order for light geese.
- 21.61 Population control of resident Canada geese.

AUTHORITY: 16 U.S.C. 703–712.

SOURCE: 39 FR 1178, Jan. 4, 1974, unless otherwise noted.

### Subpart A—Introduction

#### § 21.1 Purpose of regulations.

The regulations contained in this part supplement the general permit regulations of part 13 of this subchapter with respect to permits for the taking, possession, transportation, sale,

purchase, barter, importation, exportation, and banding or marking of migratory birds. This part also provides certain exceptions to permit requirements for public, scientific, or educational institutions, and establishes depredation orders which provide limited exceptions to the Migratory Bird Treaty Act (16 U.S.C. 703–712).

[54 FR 38150, Sept. 14, 1989]

#### § 21.2 Scope of regulations.

(a) Migratory birds, their parts, nests, or eggs, lawfully acquired prior to the effective date of Federal protection under the Migratory Bird Treaty Act (16 U.S.C. 703–712) may be possessed or transported without a permit, but may not be imported, exported, purchased, sold, bartered, or offered for purchase, sale or barter, and all shipments of such birds must be marked as provided by part 14 of this subchapter: *Provide*, no exemption from any statute or regulation shall accrue to any offspring of such migratory birds.

(b) This part, except for § 21.12(a), (c), and (d) (general permit exceptions); § 21.22 (banding or marking); § 21.29 (falconry); and § 21.31 (rehabilitation), does not apply to the bald eagle (*Haliaeetus leucocephalus*) or the golden eagle (*Aquila chrysaetos*), for which regulations are provided in part 22 of this subchapter.

(c) The provisions of this part are in addition to, and are not in lieu of other regulations of this subchapter B which may require a permit or prescribe additional restrictions or conditions for the importation, exportation, and interstate transportation of wildlife (see also part 13).

[39 FR 1178, Jan. 4, 1974, as amended at 46 FR 42680, Aug. 24, 1981; 68 FR 61137, Oct. 27, 2003; 73 FR 59465, Oct. 8, 2008]

#### § 21.3 Definitions.

In addition to definitions contained in part 10 of this chapter, and unless the context requires otherwise, as used in this part:

*Armed Forces* means the Army, Navy, Air Force, Marine Corps, Coast Guard, and the National Guard of any State.

*Bred in captivity* or *captive-bred* refers to raptors, including eggs, hatched in captivity from parents that mated or